

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69173 of 2022**

Arising Out of PS. Case No.-3 Year-2020 Thana- C.B.I CASE District- Patna

VIJAY KUMAR Son of Late Ram Nandan Prasad R/V- and P.O- Bardih, P.S- Islampur, Dist- Nalanda. At present Mohalla- Adarsh Bihar Colony, Road No. 1, Ram Krishna Nagar, New Bypass, P.S- Ram Krishna Nagar, Dist- Patna

... .. Petitioner/s

Versus

The Central Bureau of Investigation, Patna Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                         |
|--------------------------|---|-------------------------|
| For the Petitioner/s     | : | Mr. Vivekanand Vivek    |
| For the Opposite Party/s | : | Mr. Nivedita Nirvikar   |
| For the C.B.I.           | : | Mr. Avanish Kumar Singh |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 4      28-07-2023                      1. Heard learned counsel for the petitioner and learned counsel for the C.B.I., Mr. Avanish Kumar Singh.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 120(B), 420 of the Indian Penal Code and Section 7 of the Prevention of Corruption Act, 1988.
3. The informant alleges that in between 2015-17, some unknown public servants of railway, in connivance with the claimants advocate in accidental death cases, cheated the claimant as only part of the decreed amount was given to the claimant and major chunk was siphoned of by the accused persons.
4. Learned counsel for the petitioner submits that the



petitioner has one antecedent.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the petitioner is not an employee of the railways, rather, is an Advocate Clerk and being Advocate Clerk of Bidyanand Singh who is alleged to be the main conspirator of the crime, the petitioner came to be implicated, it is next submitted that the charge sheet has been submitted and the C.B.I. never felt the need of arresting the petitioner, as such, no useful purpose would be served by sending he petitioner to jail. It is further submitted that C.B.I. should make endeavors for expediting the trial.

6. Learned counsel for the C.B.I. vehemently opposes the prayer for anticipatory bail of the petitioner but is not able to meet the submission of the learned counsel for the petitioner that C.B.I. never felt the need of arresting the petitioner during the course of investigation and the charge sheet has been submitted.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-  
(Rupees Ten Thousand) with two sureties of the like amount  
each to the satisfaction of the learned trial court where the case  
is pending/successor court in connection with C.B.I. Case P.S.  
Case No. 3(A) of 2020 subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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